

**REMARKS**

Claims 1-4, 8-11, 15 and 16 are pending in this application. By this Amendment, claim 1 is amended. The amendments introduce no new matter because they are supported by at least paragraphs [0066] and [0074] of the specification as originally filed. Claims 5-7 and 12-14 are canceled, without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, objects to claim 1 for informalities. Claim 1 is amended to obviate the objection. Withdrawal of the objection to claim 1 is respectfully requested.

The Office Action, in paragraph 4, rejects claims 1-5, 8-11, and 15 under 35 U.S.C. §102(e) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over, U.S. Patent No. 6,528,358 to Yamazaki et al. (hereinafter "Yamazaki"). The Office Action, in paragraph 7, rejects claim 16 under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of U.S. Patent No. 6,653,657 to Kawasaki et al. (hereinafter "Kawasaki"). These rejections are respectfully traversed.

Yamazaki teaches a semiconductor device and method for fabricating the same. Yamazaki discloses a thermal oxide film 19 of 100 angstrom thick (col. 42, lines 16-18). Further, Yamazaki teaches that the silicon oxy nitride film 42 which composes a gate insulating film is formed in a thickness of 1000 angstrom (col. 44, lines 35-38). As such, a total thickness of the disclosed gate insulating film is in a range of 100nm to 110nm, well outside the range positively recited in independent claim 1.

Claim 1 recites, among other features, a gate insulating film provided over the monocrystalline semiconductor layer, the gate insulating film having a total thickness set in a range of 60nm to 80nm, and including: a thermal oxide film formed on the monocrystalline

semiconductor layer to a thickness in a range of 5nm to 50nm. For at least the positive recitation in the claim of the gate insulating film having a total thickness set in a range of 60nm to 80nm, claim 1 is distinguishable from the invention disclosed in Yamazaki.

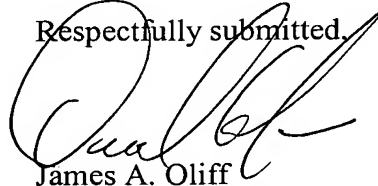
Kawasaki teaches a semiconductor device and method of manufacturing the same. The Office Action references Kawasaki only as disclosing a transistor comprising a capacitor line that Yamazaki is conceded not to disclose. As such, Kawasaki cannot reasonably be considered to overcome the above-identified shortfall in the application of Yamazaki to the subject matter of at least independent claim 1.

Based on the foregoing, Yamazaki, or a combination of Yamazaki and Kawasaki, cannot reasonably be considered to teach, or to have suggested, the combination of all of the features recited in independent claim 1. Further, claims 2-5, 8-11, 15 and 16 are also neither taught, nor would they have been suggested, by Yamazaki, or Yamazaki in combination with Kawasaki, for at least the respective dependence of these claims directly or indirectly on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 8-11, 15 and 16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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